

PTO/SB/05 (06-03)

Approved for use through 07/31/2003. OMB 0651-0032
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**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. Applicant claims small entity status.
See 37 CFR 1.27.
3. Specification [Total Pages 26] (preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. Drawing(s) (35 U.S.C. 113) [Total Sheets 1]
5. Oath or Declaration [Total Sheets 27]
 - a. Newly executed (original or copy)
 - b. Copy from a prior application (37 CFR 1.83(d)) (for continuation/divisional with Box 18 completed)
 - i. **DELETION OF INVENTOR(S)**
Signed statement attached deleting Inventor(s) name in the prior application, see 37 CFR 1.83(d)(2) and 1.33(b).
6. Application Data Sheet. See 37 CFR 1.76

Attorney Docket N.	<u>4326P2707</u>
First Inventor	<u>BAER, MARK P.</u>
Title	<u>MASSAGE DEVICES AND METHOD THEREOF</u>
Express Mail Label No.	

PTO

03940 U.S. 65314



ADDRESS TO:
Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

7. CD-ROM or CD-R In duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (If applicable, all necessary)
 - a. Computer Reader Form (CRF)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. Paper
 - c. Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & document(s))
10. 37 CFR 3.73(b) Statement Power of (when there is an assignee)
11. Attorney Attorney
12. English Translation Document (If applicable) Copies of IDS Information Disclosure Statement (IDS)/PTO-1449 Citations
13. Preliminary Amendment
14. Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/36 or its equivalent.
17. Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

Continuation Divisional Continuation-in-part (CIP) of prior application No.:

Prior application information: Examiner _____ An Unit: _____
For CONTINUATION OR DIVISIONAL APPS-only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 6b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

<input checked="" type="checkbox"/> Customer Number:	<u>23504</u>		<input type="checkbox"/> OR <input type="checkbox"/> Correspondence address below
Name			
Address			
City	State	Zip Code	
Country	Telephone	Fax	
Name (Print/Type)	<u>HARRY M. WEISER</u>	Registration No. (Attorney/Agent)	<u>19-497</u>
Signature	<u>HARRY M. WEISER</u>	Date	<u>8/28/03</u>

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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50/30/60Approved for use through 10/31/2002, OMB 0651-0032
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PTO FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$)

435. Attorney Docket No. 4326P2707

Complete If Known

Application Number	
Filing Date	
First Named Inventor	
Examiner Name	BAER, MARK P.
Group Art Unit	

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **23-0830**Deposit Account Name **WEISS, MOY & HARRIS, PPC** Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 Applicant claims small entity status. See 37 CFR 1.27

2. Payment Enclosed:

 Check Credit card Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
101 740	201 375	Utility filing fee	375
108 330	208 165	Design filing fee	
107 510	207 265	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 180	214 80	Provisional filing fee	

SUBTOTAL (1) (\$)**375**

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
22	-20** = 2	x 9 = 18	18
Independent Claims 4	- 3** = 1	x 42 = 42	42
Multiple Dependent			

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description
103 18	203 8	Claims in excess of 20
102 84	202 42	Independent claims in excess of 3
104 280	204 140	Multiple dependent claim, if not paid
109 84	208 42	** Reissue independent claims over original patent
110 18	210 8	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)**60**

** or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
106 130	205 65	Surcharge - late filing fee or path	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
138 130	139 130	Non-English specification	
147 2,620	147 2,520	For filing a request for ex parte reexamination	
112 620*	112 620*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	218 55	Extension for reply within first month	
116 400	216 200	Extension for reply within second month	
117 620	217 460	Extension for reply within third month	
118 1,440	218 720	Extension for reply within fourth month	
128 1,960	228 980	Extension for reply within fifth month	
119 320	218 180	Notice of Appeal	
120 320	220 180	Filing a brief in support of an appeal	
121 280	221 140	Request for oral hearing	
135 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 65	Petition to revive - unavoidable	
141 1,280	241 540	Petition to revive - unintentional	
142 1,280	242 640	Utility issue fee (or reissue)	
143 460	243 230	Design issue fee	
144 620	244 310	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 60	123 60	Processing fee under 37 CFR 1.17(q)	
128 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))	
148 740	248 370	For each additional invention to be examined (37 CFR § 1.129(b))	
176 740	278 370	Request for Continued Examination (RCE)	
169 900	168 800	Request for expedited examination of a design application	
Other fee (specify)			

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**-0-**

Complete If Applicable

Name (Print/Type)	Harry M. Weiss	Registration No. (Attorney/Agent)	19,497	Telephone	(480) 994-8888
Signature	Harry M. Weiss			Date	8/28/03

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Eduard Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: